

JAN 10 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

Examiner: J. A. Jeffery

Group Art Unit: 3742

For: IMAGEABLE BIOPSY SITE MARKER

Serial No.: 10/719,448

AMENDMENT AND RESPONSE

Filed: November 21, 2003

TO OFFICE ACTIONMAILED 09/20/2004

Atty. Docket No.: R0367-01003

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (703) 872-1006, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: John A. Jeffery on 1/10/05, in San Francisco, CA.

By: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed September 20, 2004, please amend the
above-identified application as follows:~~02/08/2005 LHMORGAN 00000001 041679 10179448~~~~01 FC:2251 60.00 DA
02 FC:2814 65.00 DA
03 FC:2202 375.00 DA
04 FC:2201 100.00 DA~~Adjustment date: 02/09/2005 LHMORGAN
02/08/2005 LHMORGAN 00000001 041679 10179448
04 FC:2201 100.00 CR

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Serial No. 10719,448
Atty. Docket No. R0367-01003

PAGE 7/17 * RCVD AT 1/10/2005 6:19:30 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-1/3 * DNIS:8729306 * CSID:4153712201 * DURATION (mm:ss):04:10

Adjustment date: 02/09/2005 LHMORGAN
02/08/2005 LHMORGAN 00000001 041679 10179448
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02/09/2005 LHMORGAN 00000001 041679 10179448

01 FC:2251 60.00 CR
02 FC:2814 65.00 CR
03 FC:2202 375.00 CR
04 FC:2201 100.00 CR

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10/5719448

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	31	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	31 minus 20 =	* 11
INDEPENDENT CLAIMS	4 minus 3 =	* -1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

1/10/05

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 46	Minus ** 31	= 15
Independent	* 5	Minus *** 4	= 1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
XS 9=	
X43=	
+145=	
TOTAL	

RATE	FEE
BASIC FEE	770.00
XS18=	
X86=	
+290=	
TOTAL	

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
XS 9=	375
X43=	100
+145=	
TOTAL ADDIT. FEE	475.00

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.